

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

Wolverine Proctor & Schwartz, Inc., and	:	
Great American Alliance Insurance Co., Inc.	:	
Plaintiffs,	:	
	:	
v.	:	CIVIL ACTION NO.
	:	04-12189-RWZ
XYZ Tape Corp., formerly known as Patco Corp.,	:	
William B. Wilbur, and	:	
Travelers Property Casualty Company of America:	:	
Defendants.	:	
_____	:	

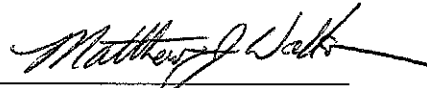
**Affidavit of Matthew J. Walko**

I, Matthew J. Walko, depose and state as follows:

1. I am an attorney with the law firm of Smith & Duggan LLP, Two Center Plaza, Suite 620, Boston, Massachusetts 02108-1906 (BBO No. 562172) and a counsel of record for the Plaintiffs Wolverine Proctor & Schwartz, Inc. ("WPS") and Great American Alliance Co., Inc. ("Great American").
2. This affidavit is made of my personal knowledge except as to those statements based upon information and belief, and as to those statements I believe them to be true.
3. I submit this affidavit in support of the Wolverine Proctor & Schwartz, Inc. and Great American Alliance Ins. Opposition to XYZ Tape Corp.'s Motion for Summary Judgment.
4. Attached at Exhibit 1 are true and accurate copies of exhibits and selected pages of the transcript of the deposition testimony of Eric K. Long.
5. Attached at Exhibit 2 are true and accurate copies of selected pages of documents produced by The Travelers Indemnity Company of Illinois and identified by XYZ Tape Corp. in its initial disclosures.
6. Attached at Exhibit 3 are true and accurate copies of selected pages of documents produced by The Travelers Indemnity Company of Illinois and identified by XYZ Tape Corp. in its initial disclosures.
7. Attached at Exhibit 4 is a true and accurate copy of a demand letter from counsel for Travelers Property Casualty Company to WPS.

8. Attached at Exhibit 5 is a true and accurate copy of a demand letter from counsel for Travelers Property Casualty Company to WPS.
9. Attached at Exhibit 6 is a true and accurate copy of a demand letter from counsel for Travelers Property Casualty Company to Great American on behalf of WPS.
10. Attached at Exhibit 7 are certified business records of CCA, LLC. Based on records I have reviewed, consulting expert Fred Kern of CCA LLC was engaged on January 24, 2002, in response to the Travelers demand against Wolverine.
11. Attached at Exhibit 8 is a true and accurate copy of Defendant Travelers Property Casualty Company of America's Response To Plaintiff's First Set of Interrogatories.
12. Attached at Exhibit 9 are true and accurate copies of selected pages of the transcript and errata sheet of the deposition of William B. Wilbur.

Signed under the pains and penalties of perjury this eleventh day of August 2005.



Mathew J. Walko  
BBO No. 562172